

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:06 CR 94-001
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
ELIJAH JAMES III,)	ORDER ACCEPTING PLEA
)	AGREEMENT AND JUDGMENT
)	
DEFENDANT.)	

On September 14, 2006, United States Magistrate Judge George J. Limbert issued a Report and Recommendation (Dkt. # 33) regarding the plea hearing and the plea agreement of Elijah James III, which was referred to the Magistrate Judge with the consent of the parties.

On March 1, 2006, the Government filed an indictment against James. (Dkt. # 8). On September 14, 2006, the Magistrate Judge held a hearing in which the Defendant entered a plea of guilty to Count 1, conspiracy to distribute and possess with intent to distribute cocaine and crack, in violation of 21 U.S.C. §§ 841 (a)(1) and 846. The Magistrate Judge received the Defendant's guilty plea and issued a Report and Recommendation ("R&R"), recommending that this Court accept the plea and enter a finding of guilty. (Dkt. # 33).

Neither party objected to the Magistrate Judge's R&R in the ten days after it was

issued.

On *de novo* review of the record, the Magistrate Judge's R&R is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of Count 1, in violation of 21 U.S.C. §§ 841 (a)(1) and 846. The sentencing will be held on March 8, 2007 at 10:00 a.m.

IT IS SO ORDERED.

/s Peter C. Economus - March 6, 2007
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE